

IN RE: PETITION FOR ADMIN. VARIANCE  
NE/S Ashford Road, opposite  
Bedlington Road  
(8819 Ashford Road)  
9th Election District  
6th Councilmanic District  
  
Robert A. Baur, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-348-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 624 George Avenue, located in the vicinity of Carney. The Petitioners seek relief from Sections 211.3 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1955) to permit a side yard setback of 3 feet in lieu of the required 9 feet and a sum of the side yards of 12 feet in lieu of the required 20 feet for an open projection (carport). The subject property and relief requested are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affida-

ORDER RECEIVED FOR FILING

Date

By

WICRON-MILLER

File *Ch*

IN RE: PETITION FOR ADMIN. VARIANCE  
NE/S Ashford Road, opposite  
Bedlington Road  
(8819 Ashford Road)  
9th Election District  
6th Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-348-A  
\*

?

5/11/95

Robert A. Baur, et ux  
Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*Per Betty,  
Ashford is  
correct. She  
will correct  
it if she  
gets any calls.*

This matter comes before the Deputy Zoning Commissioner as a  
Petition for Administrative Variance for that property known as 624 George  
Avenue, located in the vicinity of Carney. The Petitioners seek relief  
from Sections 211.3 and 303.1 of the Baltimore County Zoning Regulations  
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required 20 feet for an open projection (carport). The subject property  
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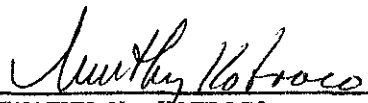
*2:12:00 PM 5/11/95*

vits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3<sup>rd</sup> day of May, 1995 that the Petition for Administrative Variance seeking relief from Sections 211.3 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1955) to permit a side yard setback of 3 feet in lieu of the required 9 feet and a sum of the side yards of 12 feet in lieu of the required 20 feet for an open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The carport shall remain open on the three exposed sides and shall not be enclosed for any reason.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORIGINAL FILED FOR FILING  
5/3/95  
BY

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 3, 1995

Mr. & Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NE/S Ashford Road, opposite Bedlington Road  
(8819 Ashford Road)  
9th Election District - 6th Councilmanic District  
Robert A. Baur, et ux - Petitioners  
Case No. 95-348-A

Dear Mr. & Mrs. Baur:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File



# Petition for Administrative Variance

95-348-A

## to the Zoning Commissioner of Baltimore County

for the property located at 8819 Ashford Road, Balto., MD 21234

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

*Protection from snow & ice weather. Our age indicates we need action taken to protect us from falling on steps in bad weather.*

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zipcode

Attorney for Petitioner:

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address Phone No

\_\_\_\_\_  
City State Zipcode

Legal Owner(s):

Robert A. Baur  
(Type or Print Name)

Robert A. Baur  
Signature

Jane Baur  
(Type or Print Name)

Jane L. Baur  
Signature

8819 Ashford Road 66 8-5005  
Address Phone No.

Baltimore, MD 21234  
City State Zipcode  
Name, Address and phone number of representative to be contacted.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
Date 5/13/95  
By [Signature]

REVIEWED BY: [Signature] DATE: 4/6/95

ESTIMATED POSTING DATE: 4/16/95



Printed with Soybean Ink on Recycled Paper

MICROFILMED

ITEM #: 349

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8819 ASHFORD RD.  
address  
BALT, MD 21234  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The steps leading into our kitchen on the side of the house is unsheltered. This is our heavy traffic entrance. My wife and I are now getting up in years, and a carport would keep the steps clear of the elements. Last year my wife slipped on ice, she grabbed the handrail and prevented herself from a possible serious fall. As it was, she stretched muscles in her legs and was quite sore for several weeks. Also during heavy rains, we get water in our basement on this side of the house. I believe a carport would eliminate this problem.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robert A. Baur  
(signature)  
ROBERT A. BAUR  
(type or print name)



Jane L. Baur  
(signature)  
JANE L. BAUR  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8th day of December, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert A. Baur and Jane L. Baur

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

December 8, 1994  
date

Maria H. Bransky  
NOTARY PUBLIC

My Commission Expires: June 3, 1996

95-348-A

211.3 and 303.1 BCZR (1955 REGS). To permit a proposed open projection (Carport) with a 3 ft. setback and a sum of side yards of 12 ft. In lieu of the required 9 ft. (Setback for open projection) and 20 ft. respectively.

75-348-A

## EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8819 ASHFORD RD  
(address)

Beginning at a point on the N.E side of 8819 ASHFORD  
(north, south, east or west) (name of

ROAD which is 50 FT  
(street on which property fronts) (number of feet of right-of-way width)

OPPOSITE/ BEDLINGTON DR  
wide at the distance of (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street BEDLINGTON DRIVE  
AND ASHFORD RD  
(name of street)

which is 50' wide. \*Being Lot # 22,  
(number of feet of right-of-way width)

Block 2, Section # 2 in the subdivision of HARWOOD MANOR  
(name of subdivision)

as recorded in Baltimore County Plat Book # 22, Folio # 76, containing

7400 ± Also known as 8819 Ashford Rd  
(square feet or acres) (property address)

and located in the 9 Election District, 6 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber       , Folio       " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townson, Maryland

95-348

District 9th

Date of Posting 4/16/95

Posted for: Variance

Petitioner: Robert & Jane Bauer

Location of property: 8819 Ashford Rd, NE/S

Location of Signs: Facing roadway

Remarks: \_\_\_\_\_

Posted by [Signature]  
Signature

Date of return: 4/21/95

Number of Signs: 1



APPROVED



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-348-A

Account: R-001-6150

Number 349

By JLL

Date

4/6/95

1/RV FILING CODE 010 50.00

1/SIGN POSTING " " 080 35.00

TOT. = \$85.00

BAUR

8819 ASHFORD RD.

RECEIVED

01AD1#0041MICRRC

\$85.00

BA C010#33AM04-06-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 349

Petitioner: ROBERT A. BAUR

Location: 8819 Ashford Rd, Balt MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT A. BAUR

ADDRESS: 8819 Ashford Rd, Balt, MD 21234

PHONE NUMBER: 668-5005

AJ:ggs

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-348-A (Item 349)  
8819 Ashford Road  
NE/S Ashford Road, opposite Bedlington Drive  
9th Election District - 6th Councilmanic  
Legal owner: Robert A. Baur and Jane L. Baur

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Robert and Jane Baur

MICROFILMED



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 28, 1995

Mr. and Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: Item No.: 349  
Case No.: 95-348-A  
Petitioner: R. A. Baur, et ux

Dear Mr. and Mrs. Baur:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 6, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

A faint, circular stamp, possibly a date stamp, located at the bottom center of the page. The text within the stamp is illegible.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

*Jeffery W. Long*

Division Chief:

*Carol L. Kern*

PK/JL

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345,  
347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

O. James Lighthizer  
Secretary

Hal Kassoff  
Administrator

4-14-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 349 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



*Joyce Watson*  
*ZAC Comments*

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 4/12/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341

344

345

348

349 ✓

350

351

LS:sp

LETTY2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: April 24, 1995  
Zoning Administration and Development Management

FROM: *Pub* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for April 24, 1995  
Item No. 349

The Developers Engineering Section has reviewed the subject zoning item. An existing 15-foot wide drainage and utility easement is bisected by the northeast property line of this site. Two existing utility pipes (an 8-inch sanitary sewer and a storm drain pipe) run the length of this easement. Baltimore County Policy prohibits the construction of a permanent structure within a designated utility easement.

RWB:sw

**received**

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 9, 1995

*late comment  
closing 5/1*

Mr. and Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: Case No. 95-348-A  
Petitioner: R. A. Baur, et ux

Dear Mr. and Mrs. Baur:

Enclosed are copies of comments received from DES on May 4, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

*Joyce Watson*  
Joyce Watson

/jw

Enclosure

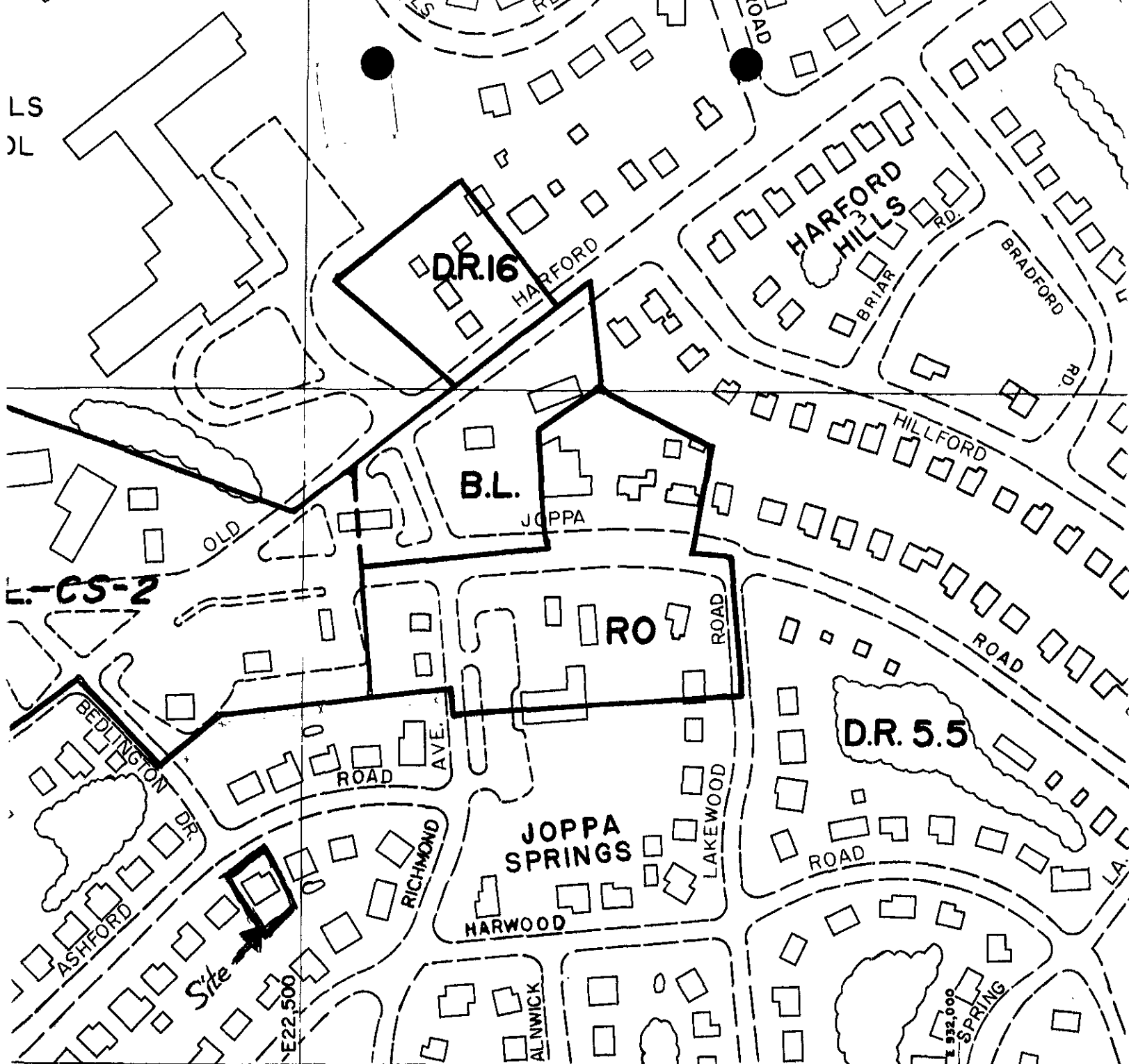


*6/6/95 10:00 AM*

H.O. ITEM 349

I, ROBERT A. BAUR WILL SUPPLY PHOTOGRAPHS  
AS REQUIRED FOR THE ZONING HEARING, WITHIN  
TEN DAYS OF THIS DATE. (4/6/95)

Robert A. Baur 4-6



**2012 COMPREHENSIVE ZONING MAP**  
 Adopted by the Baltimore County Council  
 Oct. 15, 1992  
 . 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

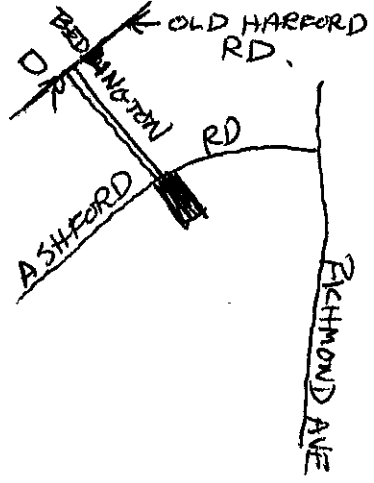
*William A. Howard IV*  
**Chairman, County Council**

**SCALE**  
 1" = 200' ±

**DATE OF PHOTOGRAPHY**  
 JANUARY 1986

**LOCATION**  
 95-348-A  
 CARNEY  
 NE 10-D

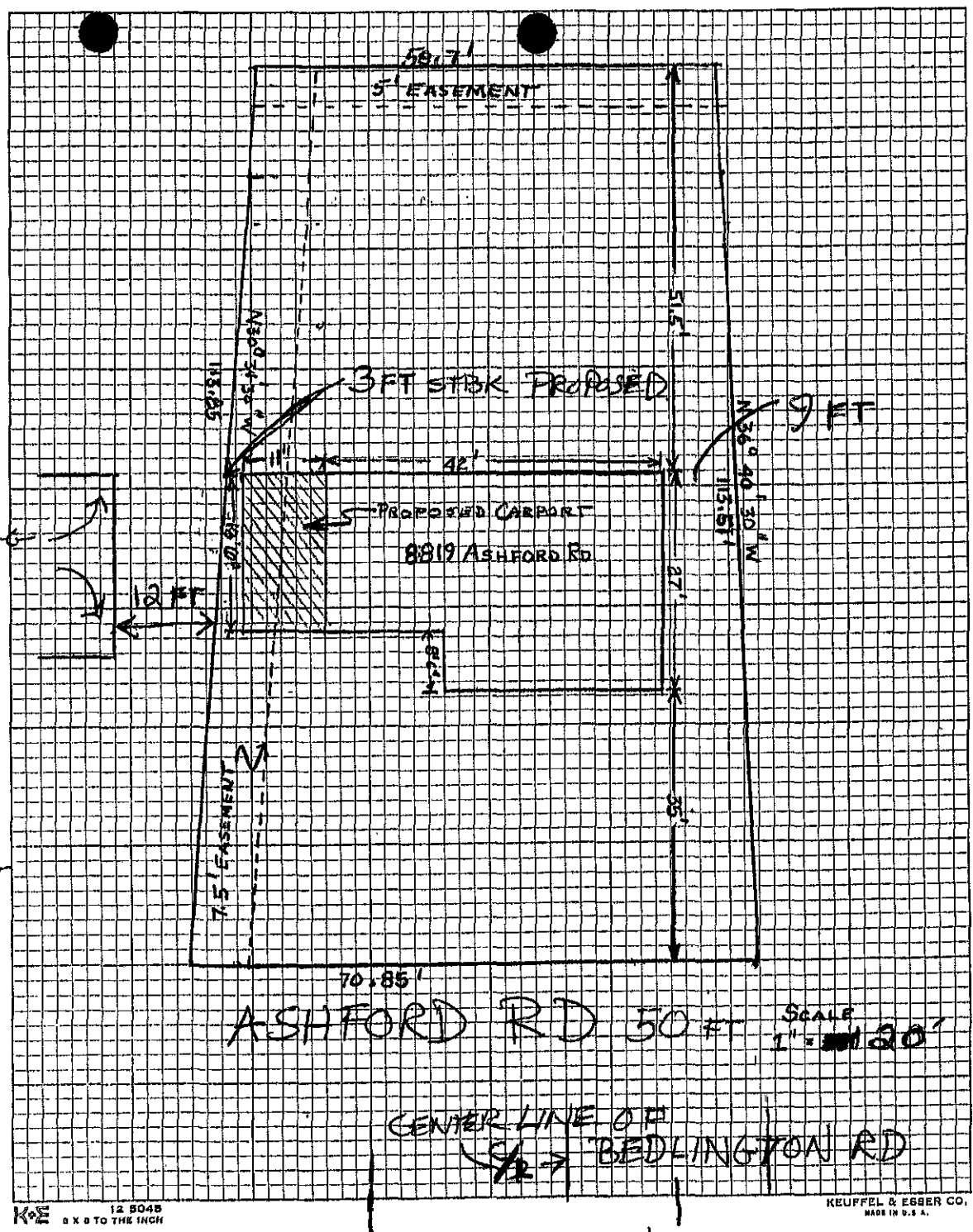
# 349



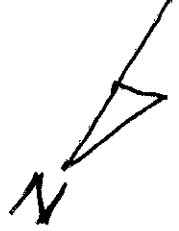
VICINITY MAP N.T.S.

I THE UNDERSIGNED  
 APPLICANT/OWNER  
 ACCEPT RESPONSIBILITY  
 FOR THE ACCURACY  
 OF ALL INFORMATION  
 AS DRAWN AND OR  
 PROVIDED BY  
 BALTO, CO.

Robert A. Baur  
 4-6-95



OWNERS,  
 ROBERT AND JANE  
 BAUR  
 ADD. 8819 ~~ASHFORD~~  
 ASHFORD RD.  
 21234  
 668-5005  
 SUBDIVISION  
 HARWOOD MANOR  
 LOT 22 A 22/76



# PETITION PLAN FOR ZONING VARIANCE.

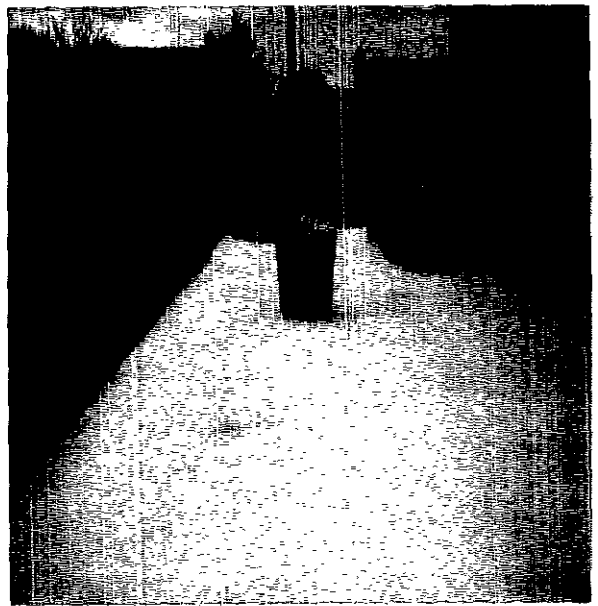
9TH ED 6TH C.D.  
 PUBLIC WATER AND SEWER IN RD.  
 ZONE DR 5.5 LOT SIZE ~~6,400~~  
 ZONING MAP NE-10 D, 7,400 ~~±~~  
 NOT IN CBCA  
 NOT IN FLOOD PLAIN # 349

PET. EX. 1

MICROFILMED



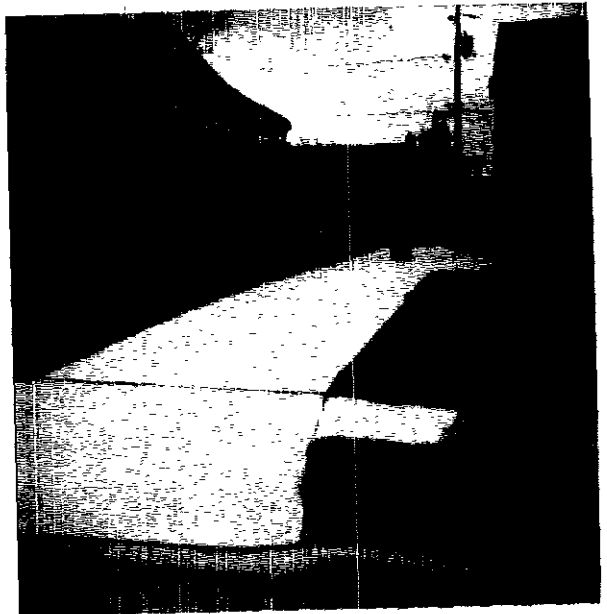
ITEM 349  
TRASH CAN IN PROPOSED SITE



ITEM 349  
CLOSE UP OF PROPOSED  
SITE



ITEM 349  
NEIGHBORS PROPERTY AT  
8821 ASHFORD RD



ITEM 349  
ANOTHER VIEW OF NEIGHBORS  
PROP. AT 8819 ASHFORD RD.





LOCATION		SHEET
CARNEY		N.E.
		MICROFILMED
DATE OF PHOTOGRAPHY		10-D
JANUARY		
1986		

SCALE  
1" = 200' ±

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

95-348-A



IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
NE/S Ashford Road, opposite \* DEPUTY ZONING COMMISSIONER  
Bedlington Road \* OF BALTIMORE COUNTY  
(8819 Ashford Road) \* Case No. 95-348-A  
9th Election District  
6th Councilmanic District  
Robert A. Baur, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 624 George Avenue, located in the vicinity of Carney. The Petitioners seek relief from Sections 211.3 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1955) to permit a side yard setback of 3 feet in lieu of the required 9 feet and a sum of the side yards of 12 feet in lieu of the required 20 feet for an open projection (carport). The subject property and relief requested are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3<sup>rd</sup> day of May, 1995 that the Petition for Administrative Variance seeking relief from Sections 211.3 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)(1955) to permit a side yard setback of 3 feet in lieu of the required 9 feet and a sum of the side yards of 12 feet in lieu of the required 20 feet for an open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The carport shall remain open on the three exposed sides and shall not be enclosed for any reason.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

May 3, 1995

(410) 887-4386

Mr. & Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
NE/S Ashford Road, opposite Bedlington Road  
(8819 Ashford Road)  
9th Election District - 6th Councilmanic District  
Robert A. Baur, et ux - Petitioners  
Case No. 95-348-A

Dear Mr. & Mrs. Baur:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

- 2 -

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8819 Ashford Road, Balto., MD 21234

which is presently zoned **DR 5.5**

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) **SEE ATTACHED**

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Protection from snow, ice, weather. Our age indicates we need action taken to protect us from falling or steps in bad weather.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):  
Robert A. Baur  
Jane L. Baur

Address:  
8819 Ashford Road  
Baltimore, MD 21234

City: Baltimore, MD 21234

State: Maryland

Zip: 21234

Phone: 410-5005

City: Baltimore, MD 21234

State: Maryland

Zip: 21234

Phone: 410-5005

City: Baltimore, MD 21234

State: Maryland

Zip: 21234

Phone: 410-5005

City: Baltimore, MD 21234

State: Maryland

Zip: 21234

Phone: 410-5005

City: Baltimore, MD 21234

State: Maryland

Zip: 21234

Phone: 410-5005

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does do presently reside at **8819 ASHFORD RD**

**BALT, MD 21234**

That based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address: (indicate persons or practical difficulty)

The steps leading into our kitchen on the side of the house is unsheathed. This is a heavy traffic entrance. My wife and I are moving up in years, and a carpet would help the steps. Clear of the elements, last year my wife slipped and she grabbed the handrail and prevented herself from a possible severe fall. As it was, she stretched and pulled the handrail and the surface several weeks. After doing heavy rain, we get water on our basement on this side of the house. I believe a carpet would eliminate this problem.

That the Affiant(s) is/are (indicate name) that if a project is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

**Robert A. Baur**  
**Jane L. Baur**

**ROBERT A. BAUR**  
**JANE L. BAUR**

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this **1<sup>st</sup>** day of **December**, 19 **94**, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

**Robert A. Baur** and **Jane L. Baur**

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

**December 1, 1994**

**Maria A. Bransky**

My Commission Expires **June 3, 1996**

211.3 and 303.1 BCZR (1955 REGS). To permit a proposed open projection (Carport) with a 3 ft. setback and a sum of side yards of 12 ft. in lieu of the required 9 ft. (Setback for open projection) and 20 ft. respectively.

## EXAMPLE 3 - Zoning Description - 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANKS". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR **8819 ASHFORD RD**

Beginning at a point on the **NE** side of **8819 ASHFORD** (north, south, east or west) (name of street on which property fronts)

which is **50 FT** (number of feet of right-of-way width)

wide at the distance of **OPPOSITE** **BEDLINGTON DR** (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street **BEDLINGTON DRIVE** (name of street)

AND **ASHFORD RD** (name of street)

which is **50'** wide. \*Being Lot # **22**.

Block **2**, Section **2**, in the subdivision of **HARWOOD MANOR** (name of subdivision)

as recorded in Baltimore County Plat Book # **22**, Folio # **76**, containing

**7400 ±** Also known as **8819 Ashford Rd** (square feet or acres) (property address)

and located in the **9** Election District, **6** Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber **1**, Folio **1**" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

CK/RESID (TKTSOPH)  
REVISED 5/16/94

10



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9A Date of Posting: 4/14/95

Posted for: Variances

Petitioner: Robert & Jane Baur

Location of property: 8819 Ashford Rd., NEA

Location of Sign: Reynolds Massey

Remarks:

Posted by: [Signature] Date of return: 4/24/95

Number of Signs: 1

**receipt**  
95-348-A

Account: R01:6150  
Number: 349  
BY JLL

Date: 4/6/95

1 RV FILING CODE 010 50.00  
1 SIGN POSTING " " 080 35.00  
TOT = \$85.00

BAUR  
8819 ASHFORD RD.

042010041NECHRD  
1-800-735-2258 04-106-95 \$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 349

Petitioner: ROBERT A BAUR

Location: 8819 Ashford Rd, Balt MD 21224

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT A BAUR

ADDRESS: 8819 Ashford Rd, Balt, MD 21224

PHONE NUMBER: 668-5005

AJ:ggg (Revised 04/09/93)

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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

April 17, 1995

**NOTICE OF CASE NUMBER ASSIGNMENT**

Re: CASE NUMBER: 95-348-A (Item 349)  
8819 Ashford Road  
NE/S Ashford Road, opposite Redington Drive  
9th Election District - 6th Councilmanic  
Legal owner: Robert A. Baur and Jane L. Baur

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

[Signature]  
Arnold Jablon  
Director

cc: Robert and Jane Baur

Printed with Soy-based Ink on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

April 28, 1995

Mr. and Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: Item No.: 349  
Case No.: 95-348-A  
Petitioner: R. A. Baur, et ux

Dear Mr. and Mrs. Baur:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 6, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

[Signature]  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR/jw  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration & Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

**INFORMATION:**  
Item Numbers: 341, 342, 345, 348, 349, and 351

**SUMMARY OF RECOMMENDATIONS:**  
While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: [Signature]  
Division Chief: [Signature]  
PK/JL

ITEM341/PZONE/ZAC1

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500 (410) 887-4500

DATE: 04/19/95

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW  
LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345, 347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

4-14-95

Ms. Joyce Watson  
Zoning Administration and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 349 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
[Signature]  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Joyce Watson  
ZAC Comments  
BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 4/28/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 4/27/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341  
342  
345  
348  
349  
350  
351

LS:sp

LETTY2/DEPRM/TXTSBP



BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 24, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for April 24, 1995  
Item No. 349

The Developers Engineering Section has reviewed the subject zoning item. An existing 15-foot wide drainage and utility easement is bisected by the northeast property line of this site. Two existing utility pipes (an 8-inch sanitary sewer and a storm drain pipe) run the length of this easement. Baltimore County Policy prohibits the construction of a permanent structure within a designated utility easement.

RWB:SW

received

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

May 9, 1995

late count  
closing 5/1

Mr. and Mrs. Robert A. Baur  
8819 Ashford Road  
Baltimore, Maryland 21234

RE: Case No. 95-348-A  
Petitioner: R. A. Baur, et ux

Dear Mr. and Mrs. Baur:

Enclosed are copies of comments received from DES on May 4, 1995 for the above-referenced case.

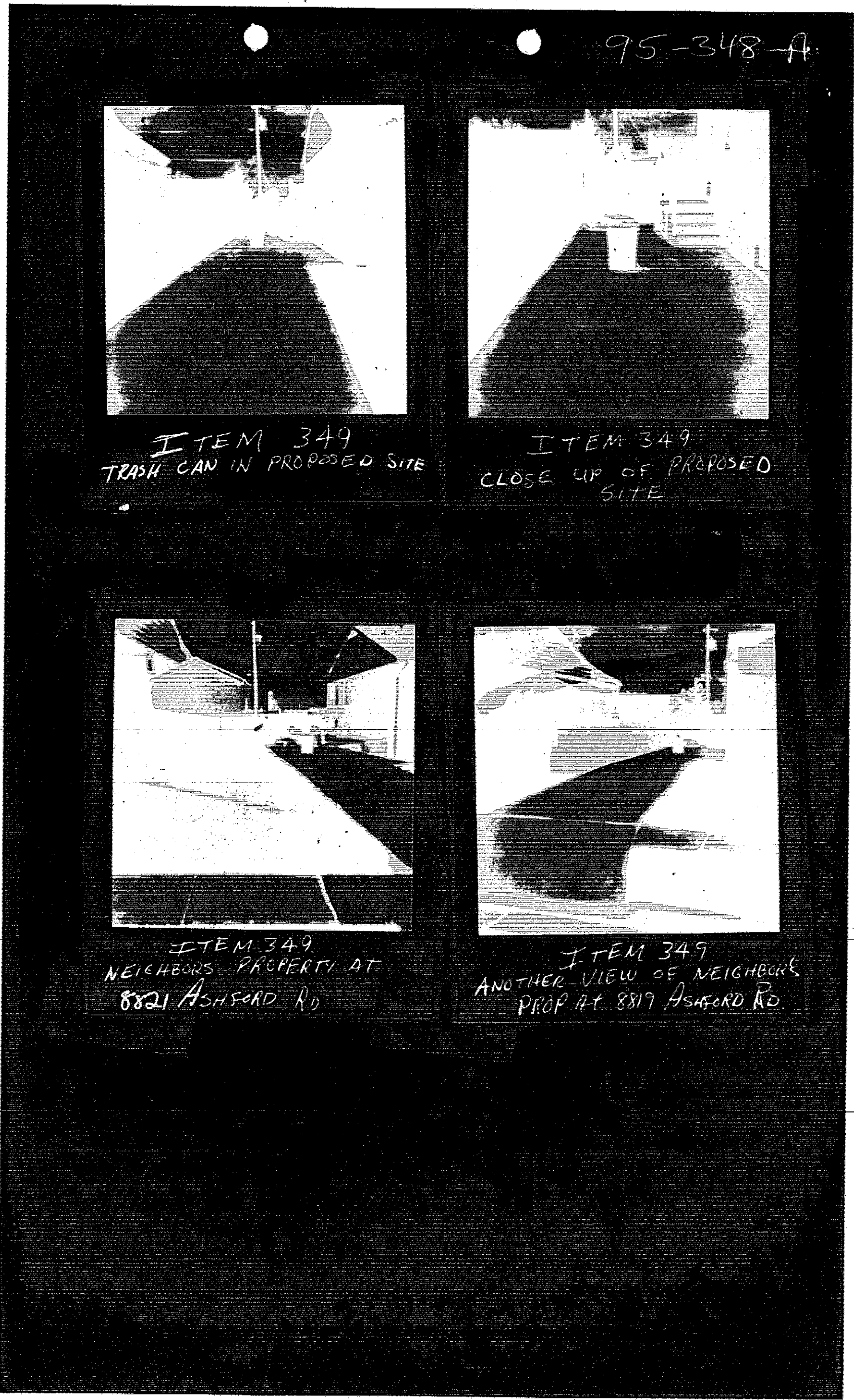
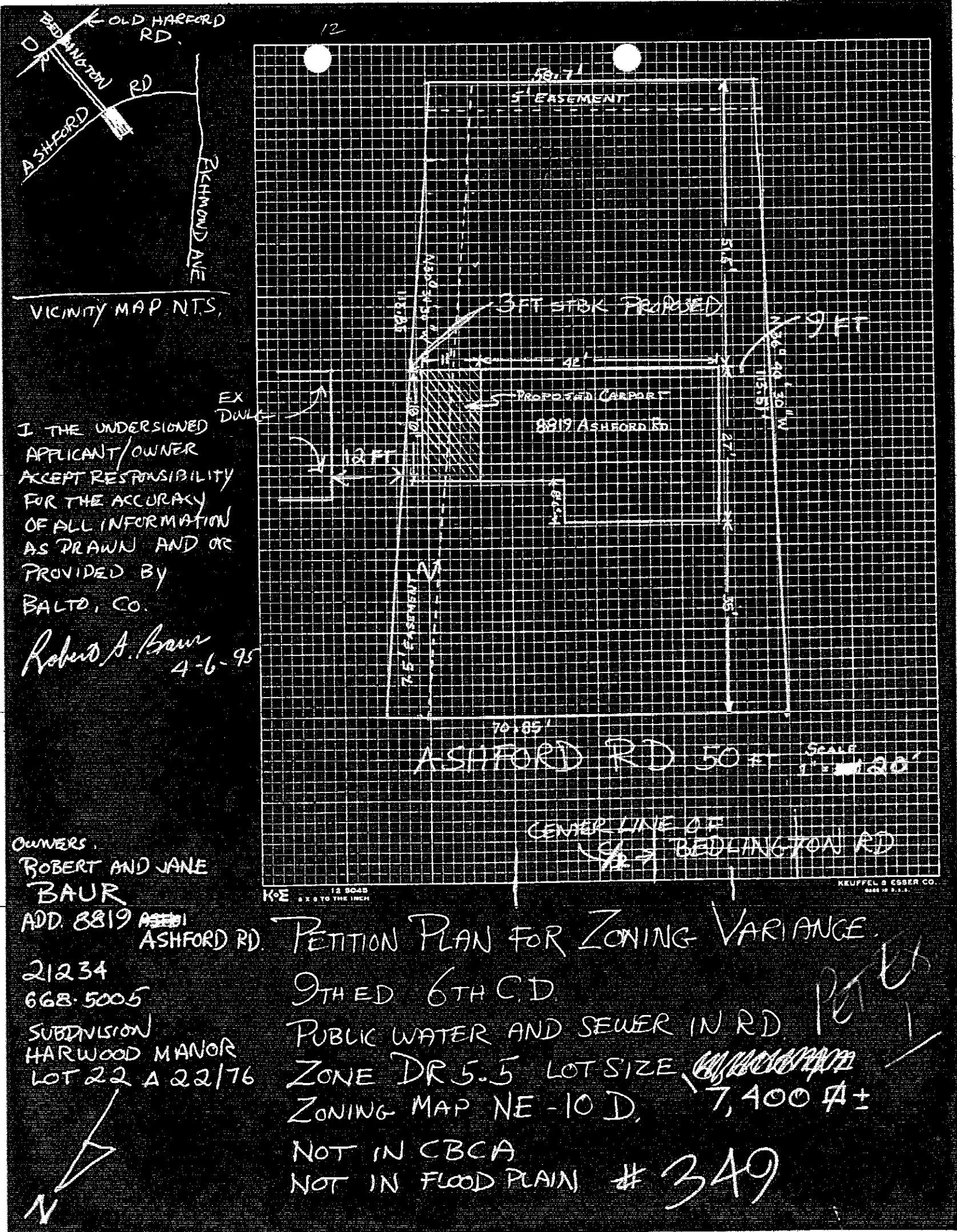
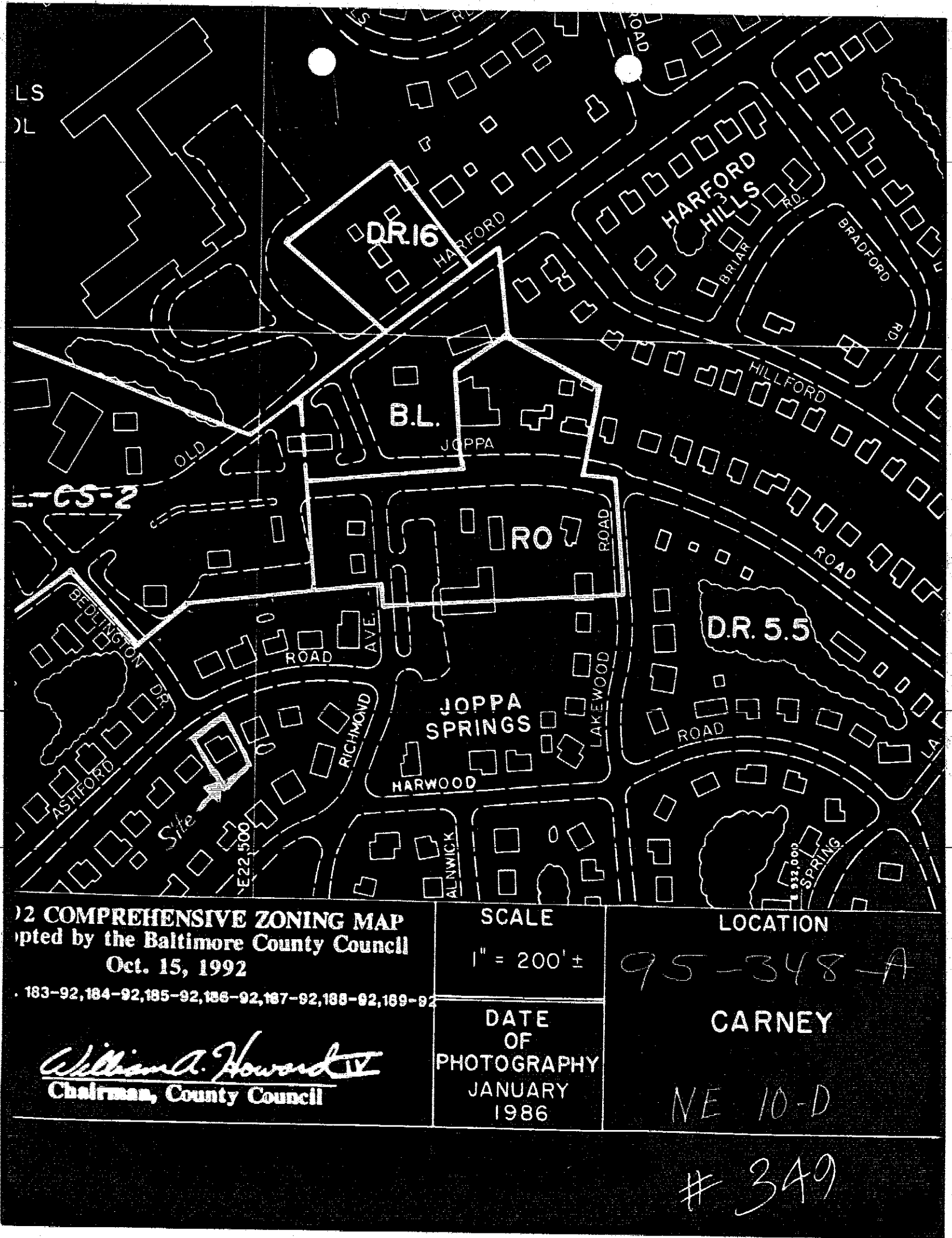
If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,  
Joyce Watson  
Joyce Watson

/jw  
Enclosure

Printed on 50% Recycled Paper

H.O. ITEM 349  
I, Robert A. Baur will supply PHOTOGRAPHS  
AS REQUIRED FOR THE ZONING HEARING WITHIN  
TEN DAYS OF THIS DATE. (4/6/95)  
Robert A. Baur 4-6-95





95-348-A



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200'		
DATE OF PHOTOGRAPHY	CARNEY	NE 10-D
JANUARY 1986		